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PATENT
P56939

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DUK-YONG KIM *et al.*

Serial No.: 10/632,795 Examiner: ALEXANDER GILMAN

Filed: 4 August 2003 Art Unit: 2833

For: BIAS-T APPARATUS AND CENTER CONDUCTOR OF THE SAME

PETITION UNDER 37 C.F.R. §1.181

Paper No. 6

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions from the incomplete first Office action mailed on 24 March 2005 (Paper No. 03182005), as reasons therefore, states that:

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STATEMENT OF FACTS

1. On the 24th of March 2005, a first Office action was issued (Paper No. 03182005) in the above-captioned application.
2. A PTO-892 form citing ten (10) U.S. patent references was attached to Paper No. 03182005.
3. On page 3 of Paper No. 03182005, the Examiner rejected claims 3, 7, 8, 10 and 11 under 35 U.S.C. §103 for alleged unpatentability over “Ryman in view of Jones et al and Kojima et al or Monnett.”
4. Ryman, U.S. Patent No. 6,721,155, Jones *et al.*, U.S. Patent No. 6,061,223 and Monnett, U.S. Patent No. 6,791,821 are listed in the PTO-892 attached to Paper No. 03182005. However, the Kojima reference, U.S. Patent No. 6,719,813, is not listed in the PTO-892 attached to Paper No. 03182005.

REMARKS

It is submitted that the Office action (Paper No. 03182005) is incomplete under 37 C.F.R. §1.104 (and *Manual of Patent Examining Procedure* §707.05) in that, the claims of the application were rejected based upon Kojima ‘813 which is not made of record in the application.

RELIEF REQUESTED

In view of the above, the Commissioner is respectfully requested to direct the Examiner to:

- A. Issue a Supplemental first Office action with a supplemental PTO-892 form citing the Kojima '813 reference (the publication number, publication date, and the name of the applicant);
- B. Re-start the period for response to expire not less than three (3) months from the date on which the Supplemental Office action and supplemental PTO-892 form citing the Kojima '813 reference are provided to Applicant by the Examiner; and
- C. Grant such other and further relief as justice may require.

Respectfully submitted,



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